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8  
9 **UNITED STATES DISTRICT COURT**  
10 **NORTHERN DISTRICT OF CALIFORNIA — SAN FRANCISCO DIVISION**

11 ROSS DUSTIN,  
12  
13 Plaintiff,

14 vs.

15 CAPITAL ONE, N.A.; et. al.,  
16 Defendants.  
17

Case No.: 3:18-cv-02099-RS  
*Honorable Richard Seeborg*

**STIPULATED REQUEST FOR  
DISMISSAL OF DEFENDANT  
CAPITAL ONE BANK (USA), N.A.;  
[PROPOSED] ORDER**

1 **TO THE COURT, CLERK OF COURT, AND ALL PARTIES:**

2 **IT IS HEREBY STIPULATED** by and between plaintiff Ross Dustin and  
3 defendant Capital One Bank (USA), N.A. (“Capital One”), that Capital One be  
4 dismissed from this action with prejudice pursuant to Federal Rules of Civil  
5 Procedure, Rule 41(a)(2), and that each party shall bear its own attorneys’ fees and  
6 costs.

7  
8 DATED: March 12, 2019

**SAGARIA LAW, P.C.**

9 By: /s/ Elliot W. Gale

10 Elliot W. Gale

11 Attorneys for Plaintiff

12 Ross Dustin

13 DATED: March 12, 2019

**DOLL AMIR & ELEY LLP**

14  
15 By: /s/ Amy Borlund

16 Amy Borlund

17 Attorneys for Defendant

18 Capital One Bank (USA), N.A.

19 I, Elliot Gale, am the ECF user whose identification and password are being  
20 used to file this Stipulation. I hereby attest that Amy Borlund has concurred in this  
21 filing.

22 /s/ Elliot Gale  
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24  
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27  
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**[PROPOSED] ORDER**

Pursuant to the stipulation of the Parties, Capital One Bank (USA), N.A. is dismissed with prejudice and each party shall bear its own attorneys' fees and costs.

IT IS SO ORDERED.

DATED: \_\_\_\_\_

\_\_\_\_\_  
RICHARD SEEBORG  
UNITED STATES DISTRICT JUDGE